IN THE CLAIMS:

Please amend claims 1 and 5 as follows:

1. (Currently amended): A process for producing a friction material containing a fiber component, a binder component, which is a thermosetting resin, a hardener, and a filler component from raw materials of a friction material through at least a mixing step, a molding step and a heat-treating step, wherein the mixing of said raw materials in said mixing step is carried out by stirring and mixing the raw materials under heating in a dry system at a temperature between 100 °C and 120 °C and where said binder is softened.

2. (Original): A process for producing a friction material according to Claim 1, wherein, in the mixing step, the raw materials are heated to a temperature not higher than the temperature ranging from a temperature where a reaction for curing a thermosetting resin which is the binder component does not take place to a temperature where the reaction takes place only little and not lower than the softening temperature of the resin and mixed under pressure as required.

3. (Original): A process for producing a friction material according to Claim 1, wherein the thermosetting resin is a phenol resin having curing reaction-initiating temperature of 130°C or more and a softening temperature of 80 to 120°C.

4. (Original): A process for producing a friction material according to Claim 2, wherein the thermosetting resin is a phenol resin having a curing reaction-initiating temperature of 130°C or more and a softening temperature of 80 to 120°C.

5. (Currently Amended): A friction material comprising a fiber component, a binder component, which is a thermosetting resin, and further comprising a hardener and a filler component wherein raw materials for a friction material are stirred and mixed under heating in a dry system at a temperature between 100 °C and 120 °C and where the binder is softened.

6. (Previously Presented): A friction material according to Claim 5, wherein a thermosetting resin which is the binder component is a phenol resin having a curing reaction-initiating temperature of 130°C or more and a softening temperature of 80 to 120°C.